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Paper No. 18

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MAY 01 2002

OFFICE OF PETITIONS

In re Application of	:	
Norman D. CHOLEWINSKY	:	DECISION
Application No. 09/369,576	:	ON PETITION
Filed: August 6, 1999	:	37 CFR 1.47(b)
Attorney Docket No. RPD 371	:	

This is a decision on the renewed petition filed February 1, 2002, under 37 CFR 1.47(b).

The petition is **granted**.

Petitioner has shown that the non-signing inventor, Norman D. Cholewinsky¹, has refused to join in the filing of the above-identified application after having been presented with the application papers. Specifically, the papers accompanying the renewed petition under 37 CFR 1.47(b), filed August 27, 2001, establish that the inventor was mailed the application papers, including the specification, claims and drawings, but failed to respond to the request that he sign the declaration. In addition, petitioner has shown that Rosen Products LLC has a proprietary interest in the above-identified application with the copy of the employment agreement showing that Mr. Cholewinsky had an obligation to assign any patent rights to Rosen Products LLC (formerly Rosen Product Development, Inc.). The petition fee has been paid. Lastly, petitioner has submitted declarations in compliance with 37 CFR 1.63 and 1.64 and demonstrated that petitioner has shown that such action is necessary to prevent irreparable damage. Collectively, the declarations filed in this case under 37 CFR 1.63 are considered acceptable.

This application and papers have been reviewed and found in compliance with 37

¹It is noted that the spelling of Mr. Cholewinsky's surname differs on the declarations submitted on his behalf and on the written employment contract designated "Exhibit A" accompanying the petition filed March 1, 2000. Rule 47 Applicant's attention is directed to MPEP 605.04(b) for guidance on this matter.

CFR 1.47(b). This application is hereby accorded Rule 1.47(b) status.

As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the Declaration filed on August 29, 2001. Notice of the filing of this application will also be published in the Official Gazette.

After this decision is mailed, the above-identified application will be forwarded to Technology Center 2600 for further processing.

Telephone inquiries regarding this communication should be directed to B. Dayoan at (703) 308-3865 or, in her absence, to the undersigned at (703) 305-1820

A handwritten signature in black ink, appearing to read "Brian Hearn", with a long horizontal flourish extending to the right.

Brian Hearn
Senior Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
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Norman D. Cholewinsky
2615 N. 31st Street
Springfield, Oregon 97477

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MAY 01 2002

OFFICE OF PETITIONS

In re Application of
Norman D. Cholewinsky
Application No. 09/369,756
Filed: August 6, 1999
For: VEHICLE ENTERTAINMENT SYSTEM

Dear Mr. Cholewinsky:

You are named as the sole inventor in the above identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(b), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as the sole inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join in the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to B. Dayoan or, in her absence, to the undersigned at (703) 305-1820. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at (703) 308-9726 or 1 (800) 972-6382 (outside the Washington D.C. area).

Brian Hearn
Senior Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

cc: David P. Cooper
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